



The Lowcountry's Hometown

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STAFF REPORT

TO: Town Council – First Reading
FROM: Justin Westbrook, Community Development Director
SUBJECT: Zoning Map Amendment (CZ-23-01) – Habitat for Humanity
DATE: August 15, 2023

Background: The applicant, Habitat for Humanity, has applied for a Zoning Map Amendment (CZ-23-01) for a parcel (TMS #142-04-01-033). The applicant is seeking to assign **Conditional Zoning – R-2** zoning to the subject parcel for the allowance for smaller minimum lots sizes.

Previously, the applicant sought and was granted a **Variance** for the adjacent parcel (TMS #142-04-01-032) to reduce the required minimum lot size in the R-2 zoning district from 8,500 square feet to 6,815 square feet. This **Variance** was granted by the Board of Zoning Appeals in September 2022.

A **Variance** request should be applicable to individual parcels that suffer from “extraordinary and exceptional conditions” that exist on the subject parcel. Those hardships should be determined to burden development by a strict interpretation of the Zoning Ordinance due to unique circumstances of the parcel. Therefore, a **Variance** request to reduce the minimum lot size is not appropriate in this circumstance, due to a lack of hardship experienced by the subject parcel that would prohibit development.

Conditional Zoning is applicable to parcels under twenty-five (25) acres that can promote flexibility in site planning and structure location. Therefore, the applicant is seeking to amend the current zoning district for this subject parcel to be similar in nature to the adjacent parcels previously granted a **Variance** to reduce the minimum lot size.

Existing Zoning: The subject parcels are currently within the **R-2** zoning district. Per the Zoning Ordinance, the **R-2 – Single Family Residential District** is intended as:

“...single-family residential areas with detached units with low to medium population densities.”

The zoning district is primarily residential in nature, specifically designed for single-family detached dwellings. The **R-2** district requires a minimum lot size of 8,500 square feet. This could generally net 5.1 dwelling units per acre. This calculated density does not factor in stormwater devices, right-of-way dedication or other external factors that may be required for development.

Other dimensional standards that may be applicable to this request would be the minimum side yard setbacks and minimum lot width. Within the **R-2 – Single Family Residential District**, new construction must meet a 10-foot side setback, while new lots must meet a minimum lot width of 70-feet.

	Adjacent Zoning	Adjacent Land Use
North	R-2	VACANT
South	R-2	VACANT
East	C-1	VACANT
	R-2	Single-family Detached
West	R-2	VACANT

Existing Site Conditions: The subject parcel is approximately 0.788 acres (~34,318 square feet), which is currently undeveloped. The subject parcel is currently accessible by Hutchinson Lane.

Proposed Zoning Request: The applicant’s request is seeking to attach conditions to the base **R-2** zoning district the Town utilizes. **Conditional Zoning** serves to:

“...encourage the development of various types of flexible, negotiated developments under master plans, where the traditional density, bulk, spacing and use regulations of other zoning designations, which may be useful in protecting the character of substantially developed areas, may impose inappropriate and unduly rigid restrictions upon the development of parcels or areas which lend themselves to a unified, planned approach.”

The reduction of the minimum lot size, as prescribed in the Zoning Ordinance from 8,500 square feet to 6,815 square feet would allow for four (4) lots to be created. With an unusual depth for the parcel being only approximately 95-feet, current dimensional requirements would require the lots to be fairly wide to make up the square footage required for minimum lot size. By reducing the minimum lot size, the applicant may still achieve a similar density, without reducing the minimum lot width or side yard setbacks for the new construction of four (4) single-family detached dwellings.

All other additional elements as required by the Zoning Ordinance, specifically Section 6-12 of the Zoning Ordinances, must be met by the developer.

Density: The request seeks to reduce the minimum lot size, which when calculated results in 6.4 dwelling units per acre. However, as the reduction of the minimum lot width is not part of the request, and the generally shallow lot depth, the applicant cannot achieve this higher density with the reduction in minimum lot size. Per the submitted lot layout, the applicant is only able to achieve four (4) units for the subject parcel, which is much closer to the existing density provided by the **R-2 – Single Family Residential District**.

The Comprehensive Plan, adopted in 2017, has designated this amount of density as ‘*Low Density Residential*’. This type of designation has been identified to be located within Moncks Corner for areas that provide:

“...predominately single family detached neighborhoods ranging from one (1) to four (4) dwelling units per acre”

Staff believes that the undeveloped subject parcel exists in an older section of Town, where development traditionally occurred with more density and variability, allowing for traditional homes to be built on smaller parcels. Initial research by Staff indicates the density within the historical neighborhood is conducive to smaller than currently required lot sizes. Many parcels are smaller than the requested reduced minimum lot size by the applicant, with parcels under 5,000 square feet.

Transportation: Staff will not require a separate Traffic Impact Analysis (TIA) for the subject parcel prior to Preliminary Plat approval. Staff will work with the applicant on potential improvements made to Hutchinson Lane, in accordance with Berkeley County requirements for driveway connectivity.

Consistency with Plans: Adopted in 2017 as part of the Town's Comprehensive Plan, the Future Land Use Map identifies the subject parcels as "Low Density Suburban". The Plan indicates this designation to be ranging from 1-4 dwelling units per acre. While the current **R-2** zoning district benefits from approximately 5.1 dwelling units per acre, the requested **Conditional Zoning – R-2** zoning district would reduce the minimum lot size would mathematically increase the density. However, Staff believes that the subject parcel is still limited due to other intact dimensional standards for **R-2** making any increase in density impractical for the subject parcel.

The Comprehensive Plan also lays out various goals and policies to help in decision making for land use requests. Staff believes the applicant and request generally follow the following policies listed in the plan.

- **Land Use Policy 1:** The Town will guide land use patterns, encourage new growth, in areas that maximize efficient use of existing infrastructure and investments in expanded infrastructure.
- **Land Use Policy 3:** The Town will promote development that is appropriate and compatible with neighboring uses.
- **Land Use Policy 4:** The Town will promote development that is sensitive to identified green infrastructure areas and balances the built environment with its natural resources.

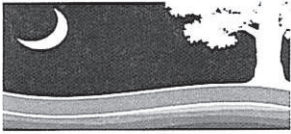
Procedural Issues: As part of any Zoning Map Amendment, the request must be at least two (2) acres, an extension of an existing district boundary, or additional **C-1** zoning contiguous to existing commercial. For this request, the subject parcel is seeking a zoning district as an extension of an existing district boundary.

Staff Analysis: Staff have worked with the applicant for several weeks and have attempted to identify potential solutions instead of the requested **Conditional Zoning – R-2**. However, outside of a more robust zoning ordinance with potential solutions for unique cases such as this, the applicant's most logical attempt to provide affordable housing for this subject parcel was to mimic the existing conditions the remainder of the neighborhood currently benefits from, in the form of this request.

Staff Recommendation: Staff recommends approval for the requested **Conditional Zoning – R-2** zoning district designation for the subject parcels. Staff has reached this recommendation due to the previously granted **Variance** for the adjacent parcel, historically sized lots within the neighborhood, and the existing lot dimensions and other zoning protections ensuring density would generally not increase.

Planning Commission Recommendation: At their July 25th meeting, the Planning Commission heard the request, where they voted 5-0 in favor of recommending the request.

Attachments: SIGNED - Application (Habitat for Humanity)(20230714)
Lot Layout Plan (20230714)



REZONING APPLICATION
Moncks Corner Community Development

**MONCKS
CORNER**
The Lowcountry's Hometown

Applicant Information

Name: HABITAT FOR HUMANITY OF Address: 1 BELKNAP RD
BERKELEY COUNTY GOOSE CREEK, SC 29445
Phone: 843-203-3749 E-Mail: GEORGE@HABITAT.ORG

Property Owner Information (If Different)

Name: _____ Address: _____

Phone: _____ E-Mail: _____

TMS #: 1420401033 Address: _____

Current Zoning: R-2 Requested Zoning: CONDITIONAL

Current Use of Property: VACANT LAND

Proposed Use of Property: 4 AFFORDABLE SINGLE FAMILY HOMES

Has any application involving this property been previously considered by the Moncks Corner Planning Commission or Board of Zoning Appeals? If yes, please state details.

No

I (we) certify that I (we) are the free holder(s) of the property(s) involved in this application and further that I (we) designate the person signing as applicant to represent me (us) in this rezoning.

Owner's Signature: _____ Date: 6/20/23

Applicant's Signature: _____ Date: 6/20/23

For Official Use Only

Received: _____ Property Posted: _____

Receipt #: _____ Hearing: _____

Advertised: _____ Approved: _____

Re: Conditional Zoning Request

George Druyos <CEO@berkeleyhabitat.org>

Fri 7/14/2023 12:17 PM

To: Justin Westbrook <J.Westbrook@monckscornersc.gov>

📎 1 attachments (11 MB)

IFP - Residential Subdivision on Hutchinson Lane - 01.23.23 (3).pdf;

Caution! This message was sent from outside your organization.

Justin,

We are requesting the lot sizes of the 4 lots that we would like to subdivide this parcel into be similar in size to the front two lots this parcel is abutted to. Those lots are roughly 6815 square feet. We would also like to request possible setback reductions in order to allow for the improvement of the road and extension of water and sewer down Hutchinson Lane. This will also include some stormwater work for ditches, etc. We do not have an exact measurement but any grace would be appreciated. We must take all of the road improvements out of our lots because the property owners on the opposite side of Hutchinson Lane have set up fences, trees, etc. which would be difficult to get moved. We greatly appreciate your assistance in this matter. Please let me know if there are items you may need. Please see the attached plan for this parcel and the road improvements.

George



Virus-free. www.avg.com

On Mon, Jul 10, 2023 at 9:30 AM Justin Westbrook <J.Westbrook@monckscornersc.gov> wrote:

Sir,

I need a list of conditions you are seeking for this parcel. I believe the minimum lot size was discussed, but will need to request via email to pass that along with your request to the Planning Board.

Currently I do have your request on the agenda for Planning Board at their July 25th meeting.



Justin Westbrook
Community Development Director
Town of Moncks Corner
Direct 843-719-7913
118 Carolina Ave, Moncks Corner, SC 29461

From: George Druyos <CEO@berkeleyhabitat.org>

Sent: Tuesday, June 20, 2023 2:09 PM

To: Justin Westbrook <J.Westbrook@monckscornersc.gov>

Subject: Conditional Zoning Request

Justin,

Please see the zoning request application attached. Let me know what else you may need to go along with this. Thanks again.

George

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George Druyos

President & CEO

phone: (843) 377-8399

site: www.berkeleyhabitat.org

address: [1 Belknap Road Goose Creek, SC 29445](#)

